

CHAPTER XXVI

THE JUDGMENT OF DOMITIAN

Two hours had gone by and Caleb, with fury in his heart, sat brooding in the office attached to the warehouse that he had hired. At that moment he had but one desire--to kill his successful rival, Marcus. Marcus had escaped and returned to Rome; of that there could be no doubt. He, one of the wealthiest of its patricians, had furnished the vast sum which enabled old Nehushta to buy the coveted Pearl-Maiden in the slave-ring. Then his newly acquired property had been taken to this house, where he awaited her. This then was the end of their long rivalry; for this he, Caleb, had fought, toiled, schemed and suffered. Oh! rather than such a thing should be, in that dark hour of his soul, he would have seen her cast to the foul Domitian, for Domitian, at least, she would have hated, whereas Marcus, he knew, she loved.

Now there remained nothing but revenge. Revenged he must be, but how? He might dog Marcus and murder him, only then his own life would be hazarded, since he knew well the fate that awaited the foreigner, and most of all the Jew, who dared to lift his hand against a Roman noble, and if he hired others to do the work they might bear evidence against him. Now Caleb did not wish to die; life seemed the only good that he had left. Also, while he lived he might still win Miriam--after his rival had ceased to live. Doubtless, then she would be sold with his other slaves, and he could buy her at the rate such tarnished goods

command. No, he would do nothing to run himself into danger. He would wait, wait and watch his opportunity.

It was near at hand, for of old as to-day the king of evil was ever ready to aid those who called upon him with sufficient earnestness. Indeed, even as Caleb sat there in his office, there came a knock upon the door.

"Open!" he cried savagely, and through it entered a small man with close-cropped hair and a keen, hard face which seemed familiar to him. Just now, however, that face was somewhat damaged, for one of the eyes had been blackened and a wound upon the temple was strapped with plaster. Also its owner walked lame and continually twitched his shoulders as though they gave him uneasiness. The stranger opened his lips to speak, and Caleb knew him at once. He was the chamberlain of Domitian who had been outbid by Nehushta in the slave ring.

"Greeting, noble Saturius," he said. "Be seated, I pray, for it seems to pain you to stand."

"Yes, yes," answered the chamberlain, "still I had rather stand. I met with an accident last night, a most unpleasant accident," and he coughed as though to cover up some word that leapt to his lips. "You also, worthy Demetrius--that is your name, is it not?" he added, eyeing him keenly--"look as though you had not slept well."

"No," answered Caleb, "I also met with an accident--oh! nothing that you can see--a slight internal injury which is, I fear, likely to prove troublesome. Well, noble Saturius, how can I--serve you? Anything in the way of Eastern shawls, for instance?"

"I thank you, friend, no. I come to speak of shoulders, not shawls," and he twitched his own--"women's shoulders, I mean. A remarkably fine pair for their size had that Jewish captive, by the way, in whom you seemed to take an interest last night--to the considerable extent indeed of fourteen hundred sestertia."

"Yes," said Caleb, "they were well shaped."

Then followed a pause.

"Perhaps as I am a busy man," suggested Caleb presently, "you would not mind coming to the point."

"Certainly, I was but waiting for your leave. As you may have heard, I represent a very noble person----"

"Who, I think, took an interest in the captive to the extent of fifteen hundred sestertia," suggested Caleb.

"Quite so--and whose interest unfortunately remains unabated, or rather, I should say, that it is transferred."

"To the gentleman whose deep feeling induced him to provide five hundred more?" queried Caleb.

"Precisely. What intuition you have! It is a gift with which the East endows her sons."

"Suppose you put the matter plainly, worthy Saturius."

"I will, excellent Demetrius. The great person to whom I have alluded was so moved when he heard of his loss that he actually burst into tears, and even reproached me, whom he loves more dearly than his brother----"

"He might easily do that, if all reports are true," said Caleb, drily, adding, "Was it then that you met with your accident?"

"It was. Overcome at the sight of my royal master's grief, I fell down."

"Into a well, I suppose, since you managed to injure your eye, your back, and your leg all at once. There--I understand--these things will happen--in the households of the Great where the floors are so slippery that the most wary feet may slide. But that does not console the sufferer whose hurt remains, does it?"

"No," answered Saturius with a snarl, "but until he is in a position to

relay the floors, he must find chalk for his sandals and ointment for his back. I want the purchaser's name, and thought perhaps that you might have it, for the old woman has vanished, and that fool of an auctioneer knows absolutely nothing."

"Why do you want his name?"

"Because Domitian wants his head. An unnatural desire indeed that devours him; still one which, to be frank, I find it important to satisfy."

Of a sudden a great light seemed to shine in Caleb's mind, it was as though a candle had been lit in a dark room.

"Ah!" he said. "And supposing I can show him how to get this head, even how to get it without any scandal, do you think that in return he would leave me the lady's hand? You see I knew her in her youth and take a brotherly interest in her."

"Quite so, just like Domitian and the two thousand sestertia man and, indeed, half the male population of Rome, who, when they saw her yesterday were moved by the same family feeling. Well, I don't see why he shouldn't. You see my master never cared for pearls that were not perfectly white, or admired ladies upon whom report cast the slightest breath of scandal. But he is of a curiously jealous disposition, and it is, I think, the head that he requires, not the hand."

"Had you not better make yourself clear upon the point before we go any further?" asked Caleb. "Otherwise I do not feel inclined to undertake a very difficult and dangerous business."

"With pleasure. Now would you let me have your demands, in writing, perhaps. Oh! of course, I understand--to be answered in writing."

Caleb took parchment and pen and wrote:

"A free pardon, with full liberty to travel, live and trade throughout the Roman empire, signed by the proper authorities, to be granted to one Caleb, the son of Hilliel, for the part he took in the Jewish war.

"A written promise, signed by the person concerned, that if the head he desires is put within his reach the Jewish slave named Pearl-Maiden shall be handed over at once to Demetrius, the merchant of Alexandria, whose property she shall become absolutely and without question."

"That's all," he said, giving the paper to Saturius. "The Caleb spoken of is a Jewish friend of mine to whom I am anxious to do a good turn, without whose help and evidence I should be quite unable to perform my share of the bargain. Being very shy and timid--his nerves were much shattered during the siege of Jerusalem--he will not stir without this authority, which, by the way, will require the signature of Titus Cæsar, duly witnessed. Well, that is merely an offering to friendship; of

course my fee is the reversion to the lady, whom I desire to restore to her relations, who mourn her loss in Judæa."

"Precisely--quite so," replied Saturius. "Pray do not trouble to explain further. I have always found those of Alexandria most excellent merchants. Well, I hope to be back within two hours."

"Mind you come alone. As I have told you, everything depends upon this Caleb, and if he is in any way alarmed there is an end of the affair. He only has a possible key to the mystery. Should it be lost your patron will never get his head, and I shall never get my hand."

"Oh! bid the timid Caleb have no fear. Who would wish to harm a dirty Jewish deserter from his cause and people? Let him come out of his sewer and look upon the sun. The Cæsars do not war with carrion rats. Most worthy Demetrius, I go swiftly, as I hope to return again with all you need."

"Good, most noble Saturius, and for both our sakes--remember that the palace floor is slippery, and do not get another fall, for it might finish you."

"I am in deep waters, but I think that I can swim well," reflected Caleb as the door closed behind his visitor. "At any rate it gives me a chance who have no other, and that prince is playing for revenge, not love. What can Miriam be to him beyond the fancy of an hour, of which a thief

has robbed him? Doubtless he wishes to kill the thief, but kings do not care for faded roses, which are only good enough to weave the chaplet of a merchant of Alexandria. So I cast for the last time, let the dice fall as it is fated."

Very shortly afterwards in the palace of Domitian the dice began to fall. Humbly, most humbly, did that faithful chamberlain, Saturius, lay the results of his mission before his august master, Domitian, who suffering from a severe bilious attack that had turned his ruddy complexion to a dingy yellow, and made the aspect of his pale eyes more unpleasant than usual, was propped up among cushions, sniffing attar of roses and dabbing vinegar water upon his forehead.

He listened indifferently to the tale of his jackal, until the full meaning of the terms asked by the mysterious Eastern merchant penetrated his sodden brain.

"Why," he said, "the man wants Pearl-Maiden; that's his share, while mine is the life of the fellow who bought her, whoever he may be. Are you still mad, man, that you should dare to lay such a proposal before me? Don't you understand that I need both the woman and the blood of him who dared to cheat me out of her?"

"Most divine prince, I understand perfectly, but this fish is only biting; he must be tempted or he will tell nothing."

"Why not bring him here and torture him?"

"I have thought of that, but those Jews are so obstinate. While you were twisting the truth out of him the other man would escape with the girl. Much better promise everything he asks and then----"

"And then--what?"

"And then forget your promises. What can be simpler?"

"But he needs them in writing."

"Let him have them in writing, my writing, which your divine self can repudiate. Only the pardon to Caleb, who I suppose is this Demetrius himself, can be signed by Titus. It will not affect you whether a Jew more or less has the right to trade in the Empire, if thereby you can win his services in an important matter. Then, when the time comes, you can net both your unknown rival and the lady, leaving our friend Demetrius to report the facts to her relatives in Judæa, for whom, as he states, he is alone concerned."

"Saturius," said Domitian, growing interested, "you are not so foolish as I thought you were. Decidedly that trouble last night has quickened your wits. Be so good as to stop wriggling your shoulders, will you, it makes me nervous, and I wish that you would have that eye of yours painted. You know that I cannot bear the sight of black; it reminds

me, who am by nature joyous and light-hearted as a child, of melancholy things. Now forge a letter for my, or rather for your signature, promising the reversion of Pearl-Maiden to this Demetrius. Then bear my greetings to Titus, begging his signature to an order granting the desired privileges to one Caleb, a Jew who fought against him at Jerusalem--with less success than I could have wished--whom I desire to favour."

Three hours later Satrius presented himself for the second time in the office of the Alexandrian merchant.

"Most worthy Demetrius," he said, "I congratulate you. Everything has been arranged as you wish. Here is the order, signed by Titus and duly witnessed, granting to you--I mean to your friend, Caleb--pardon for whatever he may have done in Judæa, and permission to live and trade anywhere that he may wish within the bounds of the Empire. I may tell you that it was obtained with great difficulty, since Titus, worn out with toil and glory, leaves this very day for his villa by the sea, where he is ordered by his physicians to rest three months, taking no part whatever in affairs. Does the document satisfy you?"

Caleb examined the signatures and seals.

"It seems to be in order," he said.

"It is in order, excellent Demetrius. Caleb can now appear in the Forum, if it pleases him, and lecture upon the fall of Jerusalem for the benefit of the vulgar. Well, here also is a letter from the divine--or rather the half divine--Domitian to yourself, Demetrius of Alexandria, also witnessed by myself and sealed. It promises to you that if you give evidence enabling him to arrest that miscreant who dared to bid against him--no, do not be alarmed, the lady was not knocked down to you--you shall be allowed to take possession of her or to buy her at a reasonable valuation, not to exceed fifteen sestertia. That is as much as she will fetch now in the open market. Are you satisfied with this document?"

Caleb read and scrutinised the letter.

"The signatures of Domitian and of yourself as witness seem much alike," he remarked suspiciously.

"Somewhat," replied Saturius, with an airy gesture. "In royal houses it is customary for chamberlains to imitate the handwriting of their imperial masters."

"And their morals--no, they have none--their manners also," commented Caleb.

"At the least," went on Saturius, "you will acknowledge the seals----"

"Which might be borrowed. Well, I will take the risk, for if there is anything wrong about these papers I am sure that the prince Domitian would not like to see them exhibited in a court of law."

"Good," answered Saturius, with a relief which he could not altogether conceal. "And now for the culprit's name."

"The culprit's name," said Caleb, leaning forward and speaking slowly, "is Marcus, who served as one of Titus Cæsar's prefects of horse in the campaign of Judæa. He bought the lady Miriam, commonly known as Pearl-Maiden, by the agency of Nehushta, an old Libyan woman, who conveyed her to his house in the Via Agrippa, which is known as the 'Fortunate House,' where doubtless, she now is."

"Marcus," said Saturius. "Why, he was reported dead, and the matter of the succession to his great estates is now being debated, for he was the heir of his uncle, Caius, the pro-consul, who amassed a vast fortune in Spain. Also after the death of the said Caius, this Marcus was a favourite of the late divine Nero, who constituted him guardian of some bust of which he was enamoured. In short, he is a great man, if, as you say, he still lives, whom even Domitian will find it hard to meddle with. But how do you know all this?"

"Through my friend Caleb. Caleb followed the black hag, Nehushta, and the beautiful Pearl-Maiden to the very house of Marcus, which he saw them enter. Marcus who was her lover, yonder in Judæa----"

"Oh! never mind the rest of the story, I understand it all. But you have not yet shown that Marcus was in the house, and if he was, bad taste as it may have been to bid against the prince Domitian, well, at a public auction it is lawful."

"Ye--es, but if Marcus has committed a crime, could he not be punished for that crime?"

"Without doubt. But what crime has Marcus committed?"

"The crime of being taken prisoner by the Jews and escaping from them with his life, for which, by an edict of Titus, whose laws are those of the Medes and Persians, the punishment is death, or at the least, banishment and degradation."

"Well, and who can prove all this?"

"Caleb can, because he took him prisoner."

"And where," asked Saturius in exasperation, "where is this thrice accursed cur, Caleb?"

"Here," answered Demetrius. "I am Caleb, O thrice blessed chamberlain, Saturius."

"Indeed," said Saturius. "Well, that makes things more simple. And now, friend Demetrius--you prefer that name, do you not--what do you propose?"

"I propose that the necessary documents should be procured, which, to your master, will not be difficult; that Marcus should be arrested in his house, put upon his trial and condemned under the edict of Titus, and that the girl, Pearl-Maiden, should be handed over to me, who will at once remove her from Rome."

"Good," said Saturius. "Titus having gone, leaving Domitian in charge of military affairs, the thing, as it chances, is easy, though any sentence that may be passed must be confirmed by Cæsar himself. And now, again farewell. If our man is in Rome, he shall be taken to-night, and to-morrow your evidence may be wanted."

"Will the girl be handed over to me then?"

"I think so," replied Saturius, "but of course I cannot say for certain, as there may be legal difficulties in the way which would hinder her immediate re-sale. However, you may rely upon me to do the best I can for you."

"It will be to your advantage," answered Caleb significantly. "Shall we say--fifty sestertia on receipt of the slave?"

"Oh! if you wish it, if you wish it, for gifts cement the hearts of friends. On account? Well, to a man with many expenses, five sestertia always come in useful. You know what it is in these palaces, so little pay and so much to keep up. Thank you, dear Demetrius, I will give you and the lady a supper out of the money--when you get her," he added to himself as he left the office.

When early on the following morning Caleb came to his warehouse from the dwelling where he slept, he found waiting for him two men dressed in the livery of Domitian, who demanded that he would accompany them to the palace of the prince.

"What for?"

"To give evidence in a trial," they said.

Then he knew that he had made no mistake, that his rival was caught, and in the rage of his burning jealousy, such jealousy as only an Eastern can feel, his heart bounded with joy. Still, as he trudged onward through streets glittering in the morning sunlight, Caleb's conscience told him that not thus should this rival be overcome, that he who went to accuse the brave Marcus of cowardice was himself a coward, and that from the lie which he was about to act if not to speak, could spring no fruit of peace or happiness. But he was mad and blind. He could think

only of Miriam--the woman whom he loved with all his passionate nature and whose life he had preserved at the risk of his own--fallen at last into the arms of his rival. He would wrench her thence, yes, even at the price of his own honour and of her life-long agony, and, if it might be, leave those arms cold in death, as often already he had striven to do. When Marcus was dead perhaps she would forgive him. At the least he would occupy his place. She would be his slave, to whom, notwithstanding all that had been, he would give the place of wife. Then, after a little while, seeing how good and tender he was to her, surely she must forget this Roman who had taken her girlish fancy and learn to love him.

Now they were passing the door of the palace. In the outer hall Saturius met them and motioned to the slaves to stand back.

"So you have them," said Caleb, eagerly.

"Yes, or to be exact, one of them. The lady has vanished."

Caleb staggered back a pace.

"Vanished! Where?"

"I wish that I could tell you. I thought that perhaps you knew. At least we found Marcus alone in his house, which he was about to leave, apparently to follow Titus. But come, the court awaits you."

"If she has gone, why should I come?" said Caleb, hanging back.

"I really don't know, but you must. Here, slaves, escort this witness."

Then seeing that it was too late to change his mind, Caleb waved them back and followed Saturius. Presently they entered an inner hall, lofty, but not large. At the head of it, clad in the purple robes of his royal house, sat Domitian in a chair, while to his right and left were narrow tables, at which were gathered five or six Roman officers, those of Domitian's own bodyguard, bare-headed, but arrayed in their mail. Also there were two scribes with their tablets, a man dressed in a lawyer's robe, who seemed to fill the office of prosecutor, and some soldiers on guard.

When Caleb entered, Domitian, who, notwithstanding his youthful, ruddy countenance, looked in a very evil mood, was engaged in talking earnestly to the lawyer. Glancing up, he saw him and asked:

"Is that the Jew who gives evidence, Saturius?"

"My lord, it is the man," answered the chamberlain; "also the other witness waits without."

"Good. Then bring in the accused."

There was a pause, till presently Caleb heard footsteps behind him

and looked round to see Marcus advancing up the hall with a proud and martial air. Their eyes met, and for an instant Marcus stopped.

"Oh!" he said aloud, "the Jew Caleb. Now I understand." Then he marched forward and gave the military salute to the prince.

Domitian stared at him with hate in his pale eyes, and said carelessly:

"Is this the accused? What is the charge?"

"The charge is," said the lawyer, "that the accused Marcus, a prefect of horse serving with Titus Cæsar in Judæa, suffered himself to be taken prisoner by the Jews when in command of a large body of Roman troops, contrary to the custom of the army and to the edict issued by Titus Cæsar at the commencement of the siege of Jerusalem. This edict commanded that no soldier should be taken alive, and that any soldier who was taken alive and subsequently rescued, or who made good his escape, should be deemed worthy of death, or at the least of degradation from his rank and banishment. My lord Marcus, do you plead guilty to the charge?"

"First, I ask," said Marcus, "what court is this before which I am put upon my trial? If I am to be tried I demand that it shall be by my general, Titus."

"Then," said the prosecutor, "you should have reported yourself to

Titus upon your arrival in Rome. Now he has gone to where he may not be troubled, leaving the charge of military matters in the hands of his Imperial brother, the Prince Domitian, who, with these officers, is therefore your lawful judge."

"Perhaps," broke in Domitian with bitter malice, "the lord Marcus was too much occupied with other pursuits on his arrival in Rome to find time to explain his conduct to the Cæsar Titus."

"I was about to follow him to do so when I was seized," said Marcus.

"Then you put the matter off a little too long. Now you can explain it here," answered Domitian.

Then the prosecutor took up the tale, saying that it had been ascertained on inquiry that the accused, accompanied by an old woman, arrived in Rome upon horseback early on the morning of the Triumph; that he went straight to his house, which was called "The House Fortunate," where he lay hid all day; that in the evening he sent out the old woman and a slave carrying on their backs a great sum of gold in baskets, with which gold he purchased a certain fair Jewish captive, known as Pearl-Maiden, at a public auction in the Forum. This Pearl-Maiden, it would seem, was taken to his house, but when he was arrested on the morrow neither she nor the old woman were found there. The accused, he might add, was arrested just as he was about to leave the house, as

he stated, in order to report himself to Titus Cæsar, who had already departed from Rome. This was the case in brief, and to prove it he called a certain Jew named Caleb, who was now living in Rome, having received an amnesty given by the hand of Titus. This Jew was now a merchant who traded under the name of Demetrius.

Then Caleb stood forward and told his tale. In answer to questions that were put to him, he related how he was in command of a body of the Jews which fought an action with the Roman troops at a place called the Old Tower, a few days before the capture of the Temple. In the course of this action he parleyed with a captain of the Romans, the Prefect Marcus, who now stood before him, and at the end of the parley challenged him to single combat. As Marcus refused the encounter and tried to run away, he struck him on the back with the back of his sword. Thereon a fight ensued in which he, the witness, had the advantage. Being wounded, the accused let fall his sword, sank to his knees and asked for mercy. The fray having now become general he, Caleb, dragged his prisoner into the Old Tower and returned to the battle.

When he went back to the Tower it was to find that the captive had vanished, leaving in his place a lady who was known to the Romans as Pearl-Maiden, and who was afterwards taken by them and exposed for sale in the Forum, where she was purchased by an old woman whom he recognised as her nurse. He followed the maiden, having bid for her and being curious as to her destination, to a house in the Via Agrippa, which he afterwards learned was the palace of the accused Marcus. That was all he

knew of the matter.

Then the prosecutor called a soldier, who stated that he had been under the command of Marcus on the day in question. There he saw the Jew leader, whom he identified with Caleb, at the conclusion of a parley strike the accused, Marcus, on the back with the flat of his sword. After this ensued a fight, in which the Romans were repulsed. At the end of it, he saw their captain, Marcus, being led away prisoner. His sword had gone and blood was running from the side of his head.

The evidence being concluded, Marcus was asked if he had anything to say in defence.

"Much," he answered proudly, "when I am given a fair trial. I desire to call the men of my legion who were with me, none of whom I see here to-day except that man who has given evidence against me, a rogue whom, I remember, I caused to be scourged for theft, and dismissed his company. But they are in Egypt, so how can I summon them? As for the Jew, he is an old enemy of mine, who was guilty of murder in his youth, and whom once I overcame in a duel in Judæa, sparing his life. It is true that when my back was turned he struck me with his sword, and as I flew at him smote me a blow upon the head, from the effects of which I became senseless. In this state I was taken prisoner and lay for weeks sick in a vault, in the care of some people of the Jews, who nursed me. From them I escaped to Rome, desiring to report myself to Titus Cæsar, my master. I appeal to Titus Cæsar."

"He is absent and I represent him," said Domitian.

"Then," answered Marcus, "I appeal to Vespasian Cæsar, to whom I will tell all. I am a Roman noble of no mean rank, and I have a right to be tried by Cæsar, not by a packed court, whose president has a grudge against me for private matters."

"Insolent!" shouted Domitian. "Your appeal shall be laid before Cæsar, as it must--that is, if he will hear it. Tell us now, where is that woman whom you bought in the Forum, for we desire her testimony?"

"Prince, I do not know," answered Marcus. "It is true that she came to my house, but then and there I gave her freedom and she departed from it with her nurse, nor can I tell whither she went."

"I thought that you were only a coward, but it seems that you are a liar as well," sneered Domitian. Then he consulted with the officers and added, "We judge the case to be proved against you, and for having disgraced the Roman arms, when, rather than be taken prisoner, many a meaner man died by his own hand, you are worthy of whatever punishment it pleases Cæsar to inflict. Meanwhile, till his pleasure is known, I command that you shall be confined in the private rooms of the military prison near the Temple of Mars, and that if you attempt to escape thence you shall be put to death. You have liberty to draw up your case in writing, that it may be transmitted to Cæsar, my father, together with a

transcript of the evidence against you."

"Now," replied Marcus bitterly, "I am tempted to do what you say I should have done before, die by my own hand, rather than endure such shameful words and this indignity. But that my honour will not suffer. When Cæsar has heard my case and when Titus, my general, also gives his verdict against me, I will die, but not before. You, Prince, and you, Captains, who have never drawn sword outside the streets of Rome, you call me coward, me, who have served with honour through five campaigns, who, from my youth till now have been in arms, and this upon the evidence of a renegade Jew who, for years, has been my private enemy, and of a soldier whom I scourged as a thief. Look now upon this breast and say if it is that of a coward!" and rending his robes asunder, Marcus exposed his bosom, scarred with four white wounds. "Call my comrades, those with whom I have fought in Gaul, in Sicily, in Egypt and in Judæa, and ask them if Marcus is a coward? Ask that Jew even, to whom I gave his life, whether Marcus is a coward?"

"Have done with your boasting," said Domitian, "and hide those scratches. You were taken prisoner by the Jews--it is enough. You have your prayer, your case shall go to Cæsar. If the tale you tell is true you would produce that woman who is said to have rescued you from the Jews and whom you purchased as a slave. When you do this we will take her evidence. Till then to your prison with you. Guards, remove the man Marcus, called the Fortunate, once a Prefect of Horse in the army of Judæa."